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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/648,076	08/25/2000	Siamack Nemazie	Nemazie-01US	5669

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LAW OFFICES OF IMAM
111 N. MARKET STREET, SUITE 1010
SAN JOSE, CA 95113

EXAMINER
NGUYEN, STEVEN H D

ART UNIT	PAPER NUMBER
2665	2

DATE MAILED: 05/06/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/648,076

Applicant(s)

NEMAZIE, SIAMACK

Examiner

Steven HD Nguyen

Art Unit

2665

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 25 August 2000.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-5 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-5 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Specification

1. A substitute specification 8/25/00 the claims is required pursuant to 37 CFR 1.125(a) because the top margin is too small therefore, the pages have multiple missing words when punch the holes.

A substitute specification filed under 37 CFR 1.125(a) must only contain subject matter from the original specification and any previously entered amendment under 37 CFR 1.121. If the substitute specification contains additional subject matter not of record, the substitute specification must be filed under 37 CFR 1.125(b) and (c).

Claim Objections

2. Claims 1-5 are objected to because of the following informalities:

As claim 1, lines 5, lines 7, please insert semi colon after the end of sentence.

As claim 2, lines 5, lines 7, please insert semi colon after the end of sentence.

As claim 3, lines 5, please insert semi colon after the end of sentence.

As claim 4, lines 4, lines 6, please insert semi colon after the end of sentence.

As claim 5, lines 6, please insert semi colon after the end of sentence.

Appropriate correction is required.

Claim Rejections - 35 USC § 112

3. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

Art Unit: 2665

4. Claims 2-5 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

As claims 2-5 are vague and indefinite because the claims do not contain a period. Please clarify, so the meter and boundary of the claims can be determined.

As claims 3 and 4, the variables n , k , k' are vague and indefinite because it's unclear what constitutes for it.

Claim Rejections - 35 USC § 103

5. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

6. Claims 1-5 are rejected under 35 U.S.C. 103(a) as being unpatentable over Swanson (USP 5276425).

Swanson discloses a switching network (Fig 3, Ref 200) comprising a first stage of switches (Fig 3, Ref 205 has $m = 9$ ($n = 5 \times k = 9$) switches, 220-1 to 220-9) having input lines and output lines including m ($n \times k$) switches, wherein m is an integer number, n is an integer number representing the number of input lines and k is an integer number representing the number of output lines; a second stage of switches (Fig 3, Ref 210 has $m = 9$ ($k' = x \ k' = 9$) switches) comprising of m ($k' \times k'$) switches, k' is an integer number representing the number of inputs and outputs a third stage of switches (Fig 3, Ref 215 has $m = 9$ ($k = 9 \times n = 5$) switches,

Art Unit: 2665

220-1 to 220-9) comprising of m ($k \times n$) switches wherein $k' = k$ to allow using m switches in the second stage (See $k' = k = 9$ when $(m = 9 * ((k' = 9) / (m = 9))) = (k = 9)$). However, Swanson fails to disclose a function to select k' in such way that $m * Q(k'/m) \geq k$ (where $Q(x/y)$ denotes the quotient of dividing x by y). However, it would have been obvious to one of ordinary skill in the art at the time of invention was made to apply a function to select $k' = k$ in order to have m switches in each stage into Swanson's system. The motivation would have been to prevent the time of rearrange the connection when a request for point-to-point connection is made via a network.

7. Claims 1-5 are rejected under 35 U.S.C. 103(a) as being unpatentable over Leibizay (USP 5038343).

Lebizay discloses a switching network comprising m identical modules (Fig 5), a module (Fig 5) includes an input stage (Fig 5, Ref Stage 1 has a ($n = M \times k = M$) module) comprising of a ($n \times k$) switch wherein n is an integer number representing the number of input lines and k is an integer number representing the number of output lines; a middle stage (Fig 5, Ref Stage 2 has a ($n = M \times k = M$) module) comprising of a ($k' \times k'$) switch, k' is an integer number representing the number of inputs and outputs; an output stage ($n = M \times k = M$) modules) comprising of a ($k \times n$) switch. However, Leibizay fails to disclose a function wherein k , k' , and m satisfy $m * Q(k'/m)k \geq k$. However, it would have been obvious to one of ordinary skill in the art at the time of invention was made to apply a function to select $k' = k$ in order to have m switches in each stage into Leibizay's system. The motivation would have been to provide a fast switching network by finding, reserving and setting the path for the signals.

Conclusion

8. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Ma (USP 6157643) discloses a switch fabric wherein the number of switches of each stage are equal each other.

Melsa (USP 5263121) disclose a network with three stage switching the number of switches of each stage are equal each other.

Wiher (USP 5323386) discloses a network with three stage switching the number of switches of each stage are equal each other.

Wolf (USP 6418142) discloses a network with three stage switching the number of switches of each stage are equal each other.

Fan (USP 5337308) discloses a network with three stage switching the number of switches of each stage are equal each other.

Hajikano (USP 4993018) discloses a network with three stage switching the number of switches of each stage are equal each other.

Sekine (USP 5982770) discloses a network with three stage switching the number of switches of each stage are equal each other.

Tachibana (USP 6084867) discloses a network with three stage switching the number of switches of each stage are equal each other.

Teraslinna (USP 5323386) discloses a network with three stage switching the number of switches of each stage are equal each other.

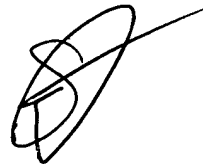
Art Unit: 2665

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Steven HD Nguyen whose telephone number is (703) 308-8848.

The examiner can normally be reached on 8-5.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Huy D Vu can be reached on (703) 308-6602. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



Steven HD Nguyen
Primary Examiner
Art Unit 2665
5/1/04